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RIGHT OF PEOPLES TO SELF-DETERMINATION

Gabon*: revised draft resolution

Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights

The General Assembly,

Reaffirming its faith in the importance of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in its resolution 1514 (XV) of 14 December 1960,

Reaffirming also the importance of the universal realization of the right of peoples to self-determination, national sovereignty and territorial integrity and of the speedy granting of independence to colonial countries and peoples as imperatives for the full enjoyment of all human rights,

Reaffirming further the obligation of all Member States to comply with the principles of the Charter of the United Nations and the resolutions of the United Nations regarding the exercise of the right to self-determination by peoples under colonial and foreign domination,

Recalling its resolution 1514 (XV) and all relevant resolutions concerning the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

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* On behalf of the States Members of the United Nations that are members of the Group of African States.

Considering the urgent need of Namibia for assistance in its efforts to reconstruct and strengthen its fledgling economic and social structures,

Welcoming the adoption at Harare on 21 August 1989 of the Declaration of the Ad Hoc Committee of the Organization of African Unity on Southern Africa on the question of South Africa 1/ and its subsequent endorsement by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, 2/ as well as the report of the Monitoring Group of the Ad Hoc Committee of the Organization of African Unity on Southern Africa, 3/ and the Declaration of Apartheid and its Destructive Consequences in Southern Africa, 4/ adopted by the General Assembly on 14 December 1989,

Taking note of the Abuja Declaration on South Africa, AHG/Decl.4 (XXVII), adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-seventh ordinary session, held at Abuja, Nigeria, from 3 to 5 June 1991, 5/

Reaffirming that the system of apartheid imposed on the South African people constitutes a violation of the fundamental rights of that people, a crime against humanity and a threat to regional peace and security,

Deeply concerned that in spite of the national peace accords signed on 14 September 1991, acts of assassination of members and leaders of national liberation movements in South Africa are still continuing,

Welcoming its resolution 44/244, adopted by consensus on 14 September 1990, in which, inter alia, it called upon the South African regime to abide fully by the Declaration on Apartheid and its Destructive Consequences in Southern Africa,

Noting that, while some significant legal and political measures in the right direction have been undertaken by the apartheid regime, apartheid is still in place,

Noting with concern that political trials and the detention of opponents of apartheid continue in South Africa and in total disregard of the provisions of the Declaration on Apartheid and its Destructive Consequences in Southern Africa,

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1/ A/44/697, annex.

2/ See A/44/551-S/20870, annex.

3/ A/44/963, annex.

4/ Resolution S-16/1, annex.

5/ A/46/390, annex II.

Welcoming the decisions by the national liberation movements to work towards unity as evidenced in the agreement to convene the patriotic front conference,

Deeply concerned about the current wave of violence in South Africa resulting from the continued existence of apartheid policies, practices and structures as well as from actions of those forces opposed to the democratic transformation of the country,

Gravely concerned that a number of South African patriots remain on death row,

Noting with grave concern that despite the efforts by the Government towards a negotiated settlement of the conflict in Mozambique, there continues to be a senseless war which has claimed a high toll in human lives and destruction of property,

Reaffirming the national unity and territorial integrity of the Comoros,

Recalling the Geneva Declaration on Palestine and the Programme of Action for the Achievement of Palestinian Rights, adopted by the International Conference on the Question of Palestine, 6/

Considering that the continuation of the Israeli oppressive measures and denial of the inalienable rights of the Palestinian people to self-determination, sovereignty, independence and return to Palestine constitute a serious threat to international peace and security,

Bearing in mind United Nations resolutions related to the question of Palestine and the rights of the Palestinian people,

Deeply concerned and alarmed at the deplorable consequences of Israel's acts of aggression against Lebanon and its practices in and its continuing occupation of parts of southern Lebanon, as well as its refusal to implement the relevant resolutions of the Security Council, in particular resolution 425 (1978) of 19 March 1978,

1. Calls upon all States to implement fully and faithfully all the relevant resolutions of the United Nations regarding the exercise of the right to self-determination and independence by peoples under colonial and foreign domination;

2. Reaffirms the legitimacy of the struggle in all its forms of peoples for independence, territorial integrity, national unity and liberation from colonial domination, apartheid and foreign occupation by all available means;

6/ Report of the International Conference on the Question of Palestine, Geneva, 29 August-7 September 1983 (United Nations publication, Sales No. E.83.I.21), chap. I.

3. Reaffirms also the inalienable right of the Palestinian people and all peoples under foreign occupation and colonial domination to self-determination, national independence, territorial integrity, national unity and sovereignty without foreign interference;

4. Calls upon those Governments that do not recognize the right to self-determination and independence of all people still under colonial domination, alien subjugation and foreign occupation to do so;

5. Calls upon Israel to refrain from the constant deliberate violations of the fundamental rights of the Palestinian people, which constitute an obstacle to the achievement of self-determination and independence by the Palestinian people and the ongoing efforts towards comprehensive peace in the region;

6. Urges all States, the specialized agencies and organizations of the United Nations system, as well as other international organizations, to extend their support to the Palestinian people through its sole and legitimate representative, the Palestine Liberation Organization, in its struggle to regain its right to self-determination and independence in accordance with the Charter of the United Nations;

7. Urgently appeals to all States, the United Nations system and other international organizations to assist in the reconstruction and economic development of Namibia;

8. Reaffirms its rejection of the so-called "tricameral constitution" of 1983 as null and void, and reiterates that peace in South Africa can be guaranteed only by the establishment of majority rule through the full and free exercise of adult suffrage by all the people in a united and undivided South Africa;

9. Strongly urges the apartheid regime to respond positively to the provisions of the Declaration of the Ad Hoc Committee of the Organization of African Unity on Southern Africa on the question of South Africa, 1/ and the Declaration on Apartheid and its Destructive Consequences in Southern Africa; 4/

10. Determines that the South African racist regime must take additional steps to implement fully the profound and irreversible changes called for in the Declaration on Apartheid;

11. Welcomes the signing of the national peace accord on 14 September 1991 by the African National Congress of South Africa, the Inkatha Freedom Party and the South African regime as a significant contribution towards the ending of political violence in South Africa;

12. Calls for an immediate end to violence and calls upon the South African regime to take urgent action through, inter alia, strict adherence to the national peace accord to end it;

13. Strongly condemns the establishment and use of armed terrorist groups by South Africa with a view to pitting them against the national liberation movements and destabilizing the legitimate Governments of southern Africa;

14. Again demands the immediate application of the mandatory arms embargo against South Africa, imposed under Security Council resolution 418 (1977) of 4 November 1977, by all countries and more particularly by those countries that maintain military and nuclear cooperation with the racist Pretoria regime and continue to supply it with related matériel;

15. Deeply concerned with the actions by certain countries whose premature relaxation of existing measures against the South African regime in flagrant violation of the United Nations consensus declaration encourages the regime to persist in its oppression of the black majority for their right to self-determination;

16. Strongly urges the international community, pursuant to General Assembly resolution 45/130 of 14 December 1990, to continue to extend maximum assistance to Lesotho to enable it to fulfil its international humanitarian obligations towards refugees;

17. Commends the Government of Angola for its political will, diplomatic flexibility and constructive spirit in the search for a negotiated solution to the problems of southern Africa;

18. Demands that the Pretoria regime continue to respect the sovereignty and territorial integrity of Angola and the principle of non-interference in the internal affairs of that State, and demands the immediate payment of compensation to Angola for damages caused, in accordance with the relevant decisions and resolutions of the Security Council;

19. Demands that the racist regime of South Africa pay full and adequate compensation to Botswana for the loss of life and damage to property resulting from the unprovoked and unwarranted military attacks of 14 June 1985, 19 May 1986 and 20 June 1988 on the capital of Botswana;

20. Commends the efforts by the Government of Mozambique towards a negotiated settlement of the conflict in that country, and calls for immediate cessation of the massacres of defenceless people and the destruction of economic and social infrastructures perpetrated by externally supported armed terrorists;

21. Notes with satisfaction Security Council resolution 690 (1991) of 29 April 1991, approving the Secretary-General's report on the holding of a referendum for the self-determination of Western Sahara 7/ and fully supports

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7/ S/21360.

the Secretary-General in his efforts to implement the plan for the settlement of the question of Western Sahara in cooperation with the Organization of African Unity;

22. Notes the contacts between the Government of the Comoros and the Government of France in the search for a just solution to the problem of the integration of the Comorian island of Mayotte into the Comoros, in accordance with the resolutions of the Organization of African Unity and the United Nations on the question;

23. Strongly condemns the continued violation of the human rights of the peoples still under colonial domination and alien subjugation;

24. Calls for a substantial increase in all forms of assistance given by all States, United Nations organs, the specialized agencies and non-governmental organizations to the victims of racism, racial discrimination and apartheid through national liberation movements recognized by the Organization of African Unity;

25. Reaffirms that the practice of using mercenaries against sovereign States and national liberation movements constitutes a criminal act, and calls upon the Governments of all countries to enact legislation declaring the recruitment, financing and training of mercenaries in their territories and the transit of mercenaries through their territories to be punishable offences and prohibiting their nationals from serving as mercenaries, and to report on such legislation to the Secretary-General;

26. Demands the immediate and unconditional release of all persons detained or imprisoned as a result of their struggle for self-determination and independence, full respect for their fundamental individual rights and compliance with article 5 of the Universal Declaration of Human Rights, 8/ under which no one shall be subjected to torture or to cruel, inhuman or degrading treatment;

27. Expresses its appreciation for the material and other forms of assistance that peoples under colonial rule continue to receive from Governments, organizations of the United Nations system and other intergovernmental organizations, and calls for a substantial increase in that asistance;

28. Urges all States, the specialized agencies and other competent organizations of the United Nations system to do their utmost to ensure the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and to intensify their efforts to support peoples under colonial, foreign and racist domination in their just struggle for self-determination and independence;

29. Decides to consider this question at its forty-seventh session under the item entitled "Right of peoples to self-determination".

8/ Resolution 217 A (III).